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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/822,641

04/12/2004

Kimmo Hamynen

NOKM.092PA

1940

76385

7590

01/27/2010

Hollingsworth & Funk

8500 Normandale Lake Blvd., Suite 320

Minneapolis, MN 55437

EXAMINER

PATEL, HARESH N

ART UNIT

PAPER NUMBER

2454

MAIL DATE

DELIVERY MODE

01/27/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10822641	4/12/04	HAMYNEN ET AL.	NOKM.092PA

Hollingsworth & Funk  
8500 Normandale Lake Blvd., Suite 320  
Minneapolis, MN 55437

**EXAMINER**

HARESH N. PATEL

ART UNIT	PAPER
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2454	20100120
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DATE MAILED:

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**Commissioner for Patents**

The reply filed 10/13/2009 is not fully responsive as the applicant's statements are still 100% self-contrary and confusing, for example, page 2, lines 11-14 contains, ... it was reasonable to assert that the amended language "periodically update the location bookmark in response to a relative position of the mobile terminal" has been considered by the Examiner and was subject to search and examination in the Office Action. .... Even when the fact as per the prosecution history is that still on one hand the applicant is mentioning in the latest remarks dated 10/13/09 that "periodically update the location bookmark in response to a relative position of the mobile terminal" has been considered by the examiner and on other hand the applicant himself is saying in the latest remarks dated 10/13/2009 that "periodically update the location bookmark in response to a relative position of the mobile terminal" is subject to search and examination. In the remarks dated 10/13/09 still did not completely took back his incorrect/contrary statements, i.e., "Applicant further submits that the amendments to Claims 1, 15, 21 and 23 make express features recited in original claims 8-10 .... Hence, the Examiner's next official communication can not be made final on the basis that Applicant's amendments to the claims necessitated a new grounds of rejection requiring further consideration and/or a new search. Applicant respectfully submits that any subsequent Office Action based on new grounds of rejection must be presented as a non-Final Office Action." - as now the fact is that the applicant has indeed agreed that all the amendments that were not examined in any of the claims would be subject to further search and/or examination and that the applicant has presented narrowed independent claims in response to the prior art rejections. Note: the applicant has meticulously still presented contrary statements and not taken back entire incorrect statements, for example, ... new grounds ... must be presented as a non-final office action... etc. and incorrectly relies on MPEP 707.07(a) even when final has not been made, etc.; even when all the statements were together in the remarks dated 5/14/09 and the applicant has particularly retained "must present non-final" etc., which are contrary to the applicant's clear statements that the amended language was subject to search and examination, line 1 page 3, etc.

The applicant provided supplemental remarks dated 10/13/09 over the improper remarks dated 5/14/09 (applicant now agreed), without containing necessary contents of the remarks dated 5/14/09; hence the applicant is requested to provide a complete supplemental remarks without incorrect and/or contrary statements and all necessary statements, as a proper response to the non-final office action. The applicant is kindly requested to must provide written response for this written communication, rather avoid responding by other means, for prosecution history, so the applicant's claims 5/14/09 can be properly addressed. Since the above mentioned reply appears to be bona fide, the applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

/HARESH N PATEL/  
Primary Examiner, Art Unit 2454